

AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Currently Amended) A method for generating a congestion indicator, comprising:

determining an outerloop threshold as a function of a desired threshold, measuring a congestion metric;

comparing the congestion metric to the desired threshold; and

updating the outerloop threshold in response to comparing the measured congestion metric to the desired threshold. The method as in claim 1, wherein the updating the outerloop threshold further comprises:

subtracting a first value Δ from the outerloop threshold in response to a first result of comparing the congestion metric to the desired threshold[[]], and

subtracting a second value δ from the outerloop threshold in response to a second result of comparing the congestion metric to the desired threshold.

5. (Original) The method as in claim 4, wherein a ratio of Δ to δ corresponds to a probability of exceeding the desired threshold of the congestion metric.

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Currently Amended) In a wireless communication system, an apparatus comprising:

congestion metric measurement unit operative to measure a congestion metric of the wireless system;

outerloop threshold adjustment unit operative to determine an outerloop threshold as a function of a desired threshold. The apparatus as in claim 8, wherein the outerloop threshold adjustment unit comprises:

first means for adjusting the outerloop threshold by subtracting a first value Δ from the outerloop threshold in response to a first result of comparing the congestion metric to the desired threshold[[]]; and

second means for adjusting the outerloop threshold by subtracting a second value δ from the outerloop threshold in response to a second result of comparing the congestion metric to the desired threshold,

wherein a ratio of Δ to δ corresponds to a probability of exceeding the desired threshold of the congestion metric[[]]; and

a comparator coupled to the congestion metric measurement unit and the outerloop threshold adjustment unit, operative to compare the measured congestion metric to a desired threshold, wherein the outerloop threshold adjustment unit adjusts the outerloop threshold in response to the comparator.

10. (Original) The apparatus as in claim 9, wherein the first means is a set of computer-readable instructions stored on a computer-readable storage unit, and the second means is a second set of computer-readable instructions stored on the computer-readable storage unit.

11. (Original) The apparatus as in claim 9, wherein the outerloop threshold adjustment unit initializes the outerloop threshold to the desired threshold.

12. (Original) The apparatus as in claim 9, wherein the outerloop threshold adjustment unit determines the outerloop threshold having a predetermined margin with respect to the desired threshold.